

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT OF WAY AGREEMENT WITH KENNECOTT UTAH COPPER, LLC, A UTAH LIMITED LIABILITY COMPANY, FOR PROPERTY LOCATED AT APPROXIMATELY 6800 WEST 6200 SOUTH (PARCELS 20-15-300-002 AND 20-22-200-001) AND TO ACCEPT TWO QUIT CLAIM DEEDS, A PERPETUAL UTILITY EASEMENT, AND TWO TEMPORARY CONSTRUCTION EASEMENTS.**

**WHEREAS,** Kennecott Utah Copper, LLC, a Utah limited liability company (“Kennecott”), owns two parcels of property located at approximately 6800 West 6200 South, in West Valley City (the “Property”); and

**WHEREAS,** the Property is affected by the construction of the 6200 South Extension Project (the “Project”); and

**WHEREAS,** the City desires to purchase a right-of-way on the Property to facilitate construction of the Project; and

**WHEREAS,** Kennecott has agreed to convey said right-of-way to the City; and

**WHEREAS,** an agreement has been prepared for execution by and between Kennecott and West Valley City, a copy of which is attached hereto and entitled “West Valley City Right-of-Way Agreement” (herein the “Agreement”), which sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

**WHEREAS,** Kennecott has agreed to execute two Quit Claim Deeds conveying said right-of-way to the City, as well as a Perpetual Utility Easement and two Temporary Construction Easements on the Property; and

**WHEREAS,** the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to authorize the execution of the Agreement, and to accept said Quit Claim Deeds, Perpetual Utility Easement and two Temporary Construction Easements;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, as follows:

1. That the “West Valley City Right-of-Way Agreement” is hereby approved in substantially the form attached, and the Mayor is hereby authorized to execute said Agreement for and on behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and the City Attorney’s Office.

2. That the Mayor is hereby authorized to accept, and the City Recorder is authorized to record, two Quit Claim Deeds, a Perpetual Utility Easement and two Temporary Construction Easements on the Property.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER